

**U.S. District Court  
District of Vermont (Burlington)  
CRIMINAL DOCKET FOR CASE #: 2:04-cr-00093-wks-3  
Internal Use Only**

Case title: USA v. Sasso

Date Filed: 07/01/2004  
Date Terminated: 07/18/2005

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Assigned to: Judge William K.  
Sessions III

**Defendant (3)**

**Robert Sasso**

*TERMINATED: 07/18/2005*

represented by **FPD**

Office of the Federal Public  
Defender

District of Vermont  
126 College Street, Suite 410  
Burlington, VT 05401  
(802) 862-6990

*TERMINATED: 07/20/2006*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender*  
*Appointment*

**Lawrence A. Vogelman**

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*LEAD ATTORNEY*

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*TERMINATED: 07/20/2006*  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

### **Pending Counts**

18:1001 STATEMENTS OR  
ENTRIES GENERALLY - falsely  
identified himself as "Ricardo  
Pimental" to DEA  
(6s)

### **Disposition**

Imprisonment for a term of time  
served to be followed by 2 years  
S/R with special conditions  
including: fine payments; no  
firearms

### **Highest Offense Level (Opening)**

Felony

### **Terminated Counts**

18:1001.F STATEMENTS OR  
ENTRIES GENERALLY - falsely  
identified himself as "Ricardo

### **Disposition**

Dismissed upon motion by govt.

Pimental" to DEA  
(6)

**Highest Offense Level**  
**(Terminated)**

Felony

<b><u>Complaints</u></b>	<b><u>Disposition</u></b>
None	

**Plaintiff**

**United States of America**

represented by **John M. Conroy**  
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Attorney  
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*TERMINATED: 10/01/2007*  
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TERMINATED: 03/03/2008  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/01/2004		RECORD OF GRAND JURORS CONCURRING (law) (Entered: 07/02/2004)
10/08/2004	<u>9</u>	NOTICE OF HEARING ; pretrial conference set for 4:00 11/18/04 for Samuel Herbin Cy to affected parties, USPO (jam) (Entered: 10/08/2004)
10/08/2004	<u>10</u>	NOTICE OF HEARING ; jury draw as the No.1 criminal case set for 1:00 12/1/04 for Samuel Herbin Cy to affected parties, USPO (jam) (Entered: 10/08/2004)
10/28/2004		RECORD OF GRAND JURORS CONCURRING (law) (Entered: 10/29/2004)
10/28/2004		ARREST WARRANT ISSUED for Shannon Smith, Robert Sasso (law) (Entered: 10/29/2004)
10/29/2004	<u>11</u>	SUPERSEDING INDICTMENT by USA; counts filed against Samuel Herbin (1) count(s) 1s, 2s, 3s, 4s, Shannon Smith (2) count(s) 1, 4, 5, Robert Sasso (3) count(s) 6; Cy to counsel, USPO (law) (Entered: 10/29/2004)
11/02/2004	<u>12</u>	NOTICE OF HEARING ; arraignment set for 2:00 11/8/04 for Samuel Herbin Cy to affected parties, USPO (jjj) (Entered: 11/02/2004)
11/08/2004	<u>13</u>	NOTICE OF HEARING ; arraignment on superseding indictment set for 4:00 11/18/04 for Samuel Herbin ; pretrial conference set for 4:00 11/18/04 for Samuel Herbin Cy to affected parties, USPO (jam) (Entered: 11/08/2004)
11/18/2004		MINUTES: before Chief Judge William K. Sessions III (Ct Rptr: Nichols) arraignment on superseding indictment held on 11/18/04 as to dft Herbin. Dft present w/ counsel C. Davis; J. Conroy present for govt. Clerk swears dft & Court makes

		inquiries. Dft pleads not guilty to counts 1s-4s and sentencing factors ; pretrial motions due 2/18/05 for Samuel Herbin, for Shannon Smith, for Robert Sasso , jury draw of 12/1/04 cancelled on 11/18/04; granting [14-1] motion to continue Trial as to dft Herbin, excludable XT , time excluded from 11/18/04 to 2/18/05 (jam) (Entered: 11/19/2004)
11/22/2004	<u>15</u>	ORDER by Chief Judge William K. Sessions III resetting the speedy trial clock to 0 as of 11/18/04 excludable XP , time excluded from July 2, 2004 to November 18, 2004 (cc: all counsel) (law) (Entered: 11/22/2004)
12/09/2004	<u>16</u>	NOTICE OF APPEARANCE for Robert Sasso by Attorney Paul S. Volk (law) (Entered: 12/09/2004)
12/13/2004	<u>17</u>	MOTION for Admission of Lawrence A. Vogelman, Esq. Pro Hac Vice, as Lead Counsel to dft Robert Sasso by Robert Sasso (law) (Entered: 12/13/2004)
12/13/2004	<u>18</u>	AFFIDAVIT of Lawrence A. Vogelman by defendant Robert Sasso re: [17-1] motion for Admission of Lawrence A. Vogelman, Esq. Pro Hac Vice, as Lead Counsel to dft Robert Sasso (law) (Entered: 12/13/2004)
12/17/2004		ENDORSED ORDER granting [17-1] motion for Admission of Lawrence A. Vogelman, Esq. Pro Hac Vice, as Lead Counsel to dft Robert Sasso ( Chief Judge William K. Sessions III )Cy to parties (See referenced doc. for image) (law) (Entered: 12/17/2004)
01/05/2005	<u>•20</u>	Application for Writ of Habeas Corpus ad Prosequendum as to Robert Sasso (jse, ) (Entered: 01/05/2005)
01/05/2005	<u>•21</u>	Writ of Habeas Corpus ad Prosequendum Issued as to Robert Sasso for 01/25/05 at 1:30pm before Magistrate Judge Niedermeier. (jse, ) (Entered: 01/05/2005)
01/26/2005	<u>•23</u>	NOTICE OF HEARING as to Shannon Smith, Robert Sasso Arraignment set for 1/31/2005 01:00 PM in Burlington Courtroom 440 before Jerome J. Niedermeier. (jjj, ) (Entered: 01/26/2005)
01/27/2005	<u>•25</u>	ARREST Warrant Returned Executed on 01/20/05 as to Robert Sasso. (law, ) (Entered: 01/31/2005)
01/31/2005	<u>•26</u>	NOTICE OF WITHDRAWAL by Robert Sasso (law, ) (Entered: 01/31/2005)

01/31/2005	<u>•27</u>	NOTICE OF ATTORNEY APPEARANCE: Lawrence A. Vogelman appearing for Robert Sasso (law, ) (Entered: 01/31/2005)
01/31/2005	<u>•28</u>	MOTION for Detention by United States of America as to Robert Sasso. (law, ) (Entered: 01/31/2005)
01/31/2005	<u>•30</u>	MINUTE ENTRY for proceedings held before Judge Jerome J. Niedermeier :Arraignment as to Shannon Smith w/Bradley Stetler, Esq. (2) Count 1,4,5 and Robert Sasso w/Paul Volk, Esq. (3) Count 6 held on 1/31/2005 not guilty pleas entered. John Conroy, AUSA for Govt. Govt moves for detention pending trial. ORDERED: Motion granted absent objection. (Court Reporter taped.) (jjj, ) (Entered: 02/01/2005)
01/31/2005	<u>•</u>	Terminate Deadlines and Hearings as to Samuel Herbin, Shannon Smith, Robert Sasso: (admin, ) (Entered: 02/01/2005)
01/31/2005	<u>•33</u>	ORAL ORDER for Arraignment held on 1/31/2005 granting <u>28</u> Motion for Detention as to Robert Sasso (3) Signed by Judge Jerome J. Niedermeier on 01/31/2005. (This is a text only Order.) (admin, ) (Entered: 02/01/2005)
02/01/2005	<u>•31</u>	CRIMINAL PRETRIAL SCHEDULING ORDER as to Shannon Smith, Robert Sasso Motions due by 4/1/2005. Pretrial Conference set for 5/2/2005 before William K. Sessions III. Signed by Judge Jerome J. Niedermeier on 2/1/5. (Excludable time from 1/31/2005 through 4/1/2005) (jlh, ) (Entered: 02/01/2005)
02/01/2005	<u>•34</u>	ORDER OF DETENTION as to Robert Sasso . Signed by Judge Jerome J. Niedermeier on 2/1/5. (jlh, ) (Entered: 02/01/2005)
02/28/2005	<u>•36</u>	NOTICE OF HEARING as to Robert Sasso Change of Plea Hearing set for 3/17/2005 11:30 AM in Burlington Courtroom 542 before William K. Sessions III. Cy parties & USPO(jam, ) (Entered: 02/28/2005)
03/10/2005	<u>•38</u>	SECOND SUPERSEDING INDICTMENT as to Samuel Herbin (1) count(s) 1ss, 2ss, 3ss, 4ss, 7ss, Shannon Smith (2) count(s) 1s, 2s, 4s, 5s, Robert Sasso (3) count(s) 6s. (law, ) (Entered: 03/10/2005)
03/11/2005	<u>•39</u>	NOTICE OF HEARING as to Samuel Herbin, Shannon Smith, Robert Sasso Arraignment set for 3/21/2005 10:00 AM in Burlington Courtroom 440 before Jerome J. Niedermeier. (jjj, )

		(Entered: 03/11/2005)
03/17/2005	•40	PLEA AGREEMENT (DOCUMENT IS SEALED) as to Robert Sasso (jam, ) (Entered: 03/17/2005)
03/17/2005	•41	MINUTE ENTRY for proceedings held before Judge William K. Sessions III:Change of Plea Hearing as to Robert Sasso held on 3/17/2005. Dft present w/ counsel L. Vogelman; J. Conroy present for govt. Clerk swears dft & Court makes inquiries. Court informs dft of maximum penalties. Plea entered by Robert Sasso (3) Guilty Count 6s. Plea agreement reviewed. Statement of facts by govt. Court makes findings; accepts guilty plea; acceptance of plea agreement deferred; PSR to be completed by USPO. Sentencing set for 7/11/2005 10:30 AM in Burlington Courtroom 542 before William K. Sessions III. Dft remains detained pending sentencing.(Court Reporter Nichols.) (jam, ) (Entered: 03/17/2005)
03/17/2005	•42	NOTICE OF HEARING as to Robert Sasso Sentencing set for 7/11/2005 10:30 AM in Burlington Courtroom 542 before William K. Sessions III. Cy parties & USPO(jam, ) (Entered: 03/17/2005)
03/17/2005	•43	PROCEDURAL AND SCHEDULING ORDER as to Robert Sasso Sentencing set for 7/11/2005 10:30 AM in Burlington Courtroom 542 before William K. Sessions III.. Signed by Judge William K. Sessions III on 3/17/2005. Cy parties & USPO (jam, ) (Entered: 03/17/2005)
03/21/2005	•45	CRIMINAL PRETRIAL SCHEDULING ORDER as to Samuel Herbin, Shannon Smith, Robert Sasso. Motions due by 4/15/2005. Pretrial Conference to be set for 5/2/2005 before William K. Sessions III. Excludable time is from 3/21/2005 thru 4/15/2005. Signed by Judge Jerome J. Niedermeier on 3/21/2005. (jlh, ) Modified on 3/22/2005 (jse, ). (Entered: 03/22/2005)
03/21/2005	•	Terminate Deadlines and Hearings (arraignment) as to Samuel Herbin, Shannon Smith, Robert Sasso: (jlh, ) (Entered: 03/23/2005)
03/31/2005	•	RECEIPT FOR PAYMENT as to Robert Sasso. Payment of SPECIAL ASSESSMENT in the amount of \$100.00, receipt # 22258. (jlh, ) (Entered: 03/31/2005)
04/14/2005	•	Set Deadlines re Motion in case as to Samuel Herbin, Shannon

		Smith, Robert Sasso <u>48</u> MOTION to Produce, <u>47</u> MOTION to Suppress. Responses due by 4/28/2005. Note: 3 additional days will be allowed for mailing in accordance with L.R. 6.1. (jam, ) (Entered: 04/14/2005)
04/18/2005	<u>•49</u>	MOTION for Enlargement of Time to File a Response to the Various Motions to Suppress Evidence by United States of America as to Samuel Herbin, Shannon Smith, Robert Sasso. (law, ) (Entered: 04/18/2005)
04/19/2005	<u>•</u>	Set Deadlines re Motion in case as to Samuel Herbin, Shannon Smith, Robert Sasso <u>53</u> MOTION to Suppress, <u>51</u> MOTION in Limine, <u>54</u> MOTION to Suppress, <u>52</u> MOTION to Suppress. Responses due by 5/3/2005. Note: 3 additional days will be allowed for mailing in accordance with L.R. 6.1. (jam, ) (Entered: 04/20/2005)
05/13/2005	<u>•57</u>	ORDER granting <u>49</u> Motion to Extend Time Signed by Judge William K. Sessions III on 05/13/05. (This is a text only Order.) (eae) (Entered: 05/13/2005)
06/06/2005	<u>•61</u>	NOTICE OF HEARING as to Samuel Herbin, Shannon Smith, Robert Sasso Arraignment set for 6/14/2005 10:00 AM in Burlington Courtroom 440 before Jerome J. Niedermeier. (jjj, ) (Entered: 06/06/2005)
06/28/2005	<u>•65</u>	REVISED NOTICE OF HEARING as to Robert Sasso Sentencing reset for 7/14/2005 10:30 AM in Burlington Courtroom 542 before William K. Sessions III. (law, ) (Entered: 06/28/2005)
07/11/2005	<u>•67</u>	LETTERS in support of dft Robert Sasso. (law, ) (Entered: 07/11/2005)
07/12/2005	<u>•70</u>	SENTENCING MEMORANDUM by United States of America as to Robert Sasso. (law, ) (Entered: 07/13/2005)
07/14/2005	<u>•73</u>	MINUTE ENTRY for proceedings held before Judge William K. Sessions III: Sentencing held on 7/14/2005 for Robert Sasso (3). Dft present w/ counsel L. Vogelman & P. Volk; J. Conroy present for govt. Statements by counsel & dft prior to imposition of sentence. Court makes findings. SENTENCE: Count 6 Dismissed upon motion by govt; Count(s) 6s, Imprisonment for a term of time served to be followed by 2 years S/R with special conditions including: fine payments; no firearms. Fine of \$500 imposed due immediately; \$100 S/A

		imposed. Dft notified of right to appeal. (Court Reporter Nichols.) (jam, ) (Entered: 07/18/2005)
07/18/2005	● <u>74</u>	JUDGMENT as to Robert Sasso (3), Count(s) 6, Dismissed upon motion by govt.; Count(s) 6s, Imprisonment for a term of time served to be followed by 2 years S/R with special conditions including: fine payments; no firearms . Signed by Judge William K. Sessions III on 7/15/05. Cy parties, USPO & certified cys to USM (jam, ) (Entered: 07/18/2005)
07/25/2005	● <u>76</u>	JUDGMENT RETURNED EXECUTED as to Robert Sasso. (law, ) (Entered: 07/27/2005)
08/08/2005	●	RECEIPT FOR PAYMENT as to Robert Sasso. Payment of Fine in the amount of \$500.00, receipt # 22722. (jlh, ) (Entered: 08/08/2005)
08/25/2005	● <u>84</u>	SATISFACTION OF JUDGMENT filed by United States of America as to Robert Sasso. (law) (Entered: 08/25/2005)
10/17/2005	●	Set Deadlines re Motion in case as to Samuel Herbin, Shannon Smith, Robert Sasso <u>96</u> MOTION to Produce. Responses due by 10/31/2005. Note: 3 additional days will be allowed for mailing in accordance with L.R. 6.1. (jam, ) (Entered: 10/18/2005)
12/29/2005	● <u>102</u>	WRIT of Habeas Corpus ad Prosequendum Returned Executed as to Robert Sasso on 1/25/2005. (law) (Entered: 12/29/2005)
03/14/2006	● <u>103</u>	PROBATION FORM 12 (Petition on Probation and Supervised Release) as to Robert Sasso. Signed by Judge William K. Sessions III on 3/14/06. (law) Document unsealed 7/19/06 following defendant's arrest and arrival in District of VT. Modified on 7/19/2006 (jmm). (Entered: 03/15/2006)
06/13/2006	●	Arrest of Robert Sasso in Southern District of New York. (law) (Entered: 07/05/2006)
07/05/2006	● <u>105</u>	RULE 5(c)(3) Documents Received as to Robert Sasso (Attachments: # <u>1</u> Docket Sheet from Southern District of New York (Foley Square)# <u>2</u> Rule 5(c)(3) Affidavit# CJA 23 Financial Affidavit (IMAGE IS SEALED)# <u>4</u> Order Appointing Counsel# <u>5</u> Notice of Appearance# <u>6</u> Minute Entry sheet for 06/13/2006# <u>7</u> Minute Entry sheet for 06/27/2006# <u>8</u> Commitment to Another District)(law) (Entered: 07/05/2006)
07/19/2006	● <u>106</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as

		to Robert Sasso . Signed by Deputy Clerk on 7/19/06. (jam, ) (Entered: 07/19/2006)
07/19/2006	●	Attorney update in case as to Robert Sasso. Attorney Lawrence A. Vogelman and Paul S. Volk terminated. (jam, ) (Entered: 07/19/2006)
07/19/2006	● <u>107</u>	NOTICE OF HEARING as to Robert Sasso Final Hearing re Revocation of Supervised Release set for 7/20/2006 10:30 AM in Burlington Courtroom 542 before William K. Sessions III. (jam, ) (Entered: 07/19/2006)
07/20/2006	● <u>108</u>	MINUTE ENTRY for proceedings held before Judge William K. Sessions III:Final Hearing re Revocation of Supervised Release as to Robert Sasso held on 7/20/2006. Dft present w/ counsel M. Desautels; J. Conroy present for govt. Court makes inquiries re: representation. Dft informs Court that he has retained Lawrence Vogelman to represent him again and doesn't contest detention until Mr. Vogelman can be present. ORDERED: further hearing to be held; dft detained pending that hearing. (Court Reporter Nichols.) (jam, ) (Entered: 07/20/2006)
07/20/2006	●	Attorney update in case as to Robert Sasso. Attorney Lawrence A. Vogelman for dft added. Attorney FPD terminated. (jam, ) (Entered: 07/20/2006)
07/20/2006	● <u>109</u>	ORDER OF DETENTION as to Robert Sasso . Signed by Judge William K. Sessions III on 7/20/06. Cys sent to USPO, USM & non-NEF parties(jam, ) (Entered: 07/20/2006)
07/20/2006	● <u>110</u>	NOTICE OF ATTORNEY APPEARANCE: Michael L. Desautels appearing for Robert Sasso. (jse) (Entered: 07/20/2006)
07/20/2006	●	Attorney update in case as to Robert Sasso. Attorney Michael L. Desautels terminated as per minute entry on 7/20/06. Dft. retained counsel. (jse, ) (Entered: 07/20/2006)
07/20/2006	● <u>111</u>	Arrest Warrant returned executed on 06/12/06 in case as to Robert Sasso. (jse, ) (Entered: 07/21/2006)
07/24/2006	● <u>112</u>	NOTICE OF ATTORNEY APPEARANCE: Lawrence A. Vogelman, Esq. appearing for Robert Sasso. (jse) (Entered: 07/24/2006)
08/03/2006	● <u>113</u>	NOTICE OF HEARING as to Robert Sasso Final Hearing re

		Revocation of Supervised Release set for 9/14/2006 01:30 PM in Burlington Courtroom 542 before William K. Sessions III. Cy non-NEF parties.(jam, ) (Entered: 08/03/2006)
09/14/2006	●114	AMENDED PROBATION FORM 12 (Petition on Probation and Supervised Release) as to Robert Sasso. Signed by Judge William K. Sessions III on 9/14/2006. (law) Modified on 9/15/2006 (jmm). (Entered: 09/14/2006)
09/14/2006	●115	MINUTE ENTRY for proceedings held before Judge William K. Sessions III:Final Hearing re Revocation of Supervised Release as to Robert Sasso held on 9/14/2006. Dft present w/ counsel L. Vogelman; J. Gelber present for govt. Clerk swears dft & Court makes inquiries. Dft admits to allegations 1-4 of the Petition and as to allegation 5, admits to being arrested. Court finds that dft has violated conditions of S/R. Statements re: disposition. SENTENCE: Imprisonment for a term of 10 months followed by 1 year S/R under the same terms and conditions as previously imposed with the added special condition that he participate in any mental health treatment or substance abuse programs in accordance with the evaluation that is to be performed prior to his release. The Court recommends to BOP: that a full psychiatric and psychological evaluation be performed on the dft and shared with the Brooklyn probation officer prior to release from custody and that he be placed at MDC Brooklyn, NY. Dft remanded to custody of USM. (Court Reporter Nichols.) (jam) (Entered: 09/14/2006)
09/14/2006	●116	JUDGMENT ON REVOCATION as to Robert Sasso . Signed by Judge William K. Sessions III on 9/14/06. Cy to non-NEF pty, USPO & certified cys to USM (jam) (Entered: 09/14/2006)
10/01/2007	●	Attorney substitution as to Robert Sasso. Attorney Paul J. Van de Graaf for United States of America added. Attorney John M. Conroy terminated. (law) (Entered: 10/01/2007)
02/28/2008	●118	ARREST WARRANT RETURNED executed on 02/28/08 in case as to Robert Sasso. (law) (Entered: 03/03/2008)
03/03/2008	●	Attorney substitution as to Robert Sasso. Attorney Michael P. Drescher for United States of America added. Attorney Paul J. Van de Graaf terminated. Pursuant to Karen @ USAO. (law) (Entered: 03/03/2008)

03/13/2008

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PROBATION FORM 22 - Probation Jurisdiction Transferred to Eastern District of New York as to Robert Sasso. Transmitted Transfer of Jurisdiction form, with certified copies of probation form and docket sheet. (Attachments: # 1 Letter to Eastern District of New York)(law) (Entered: 03/13/2008)

I hereby attest and certify on  
March 13, 2008, that  
the foregoing document is a full, true and correct  
copy of the original on file in my office, and in my  
legal custody.

RICHARD PAUL WASKO  
Clerk, U.S. District Court  
District of Vermont  
BY: Lisa Wright  
Deputy Clerk